

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office OCT 15 1998

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 15 1998

The applicant Kim K. Stewart & Kathleen L. Stewart, hereby makes application for permission to change the Point of Diversion, Manner and Place of Use of a Portion of of water heretofore appropriated under Permit 12156, Certificate 3397

1. The source of water is Underground
2. The amount of water to be changed 0.0111 CFS, not to exceed 8 ac. ft..
3. The water to be used for irrigation & domestic purposes
4. The water heretofore permitted for fish propagation & domestic
5. The water is to be diverted at the following point SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, T.11N., R.23E., M.D.B.&M., or at a point from which the N $\frac{1}{4}$ Corner of said Section 13 bears N. 26° 4' 6" W., a distance of 2636.0 ft.
6. The existing permitted point of diversion is located within See Exhibit "A"
7. Proposed place of use 5 acres within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, T.11N., R.23E., M.D.B.&M. (Lyon County APN 10-281-35)
8. Existing place of use S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 18, T.11N., R.24E., M.D.B.&M.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works Drilled and cased well, equipped with motor, pump, meter and distribution system
12. Estimated cost of works \$25,000.00
13. Estimated time required to construct works Two (2) years
14. Estimated time required to complete the application of water to beneficial use Five (5) years
15. Remarks: This application is being filed to transfer underground water rights to the applicant's home property. Domestic use will be for the house and barn. Irrigation use will be on approximately 2 acres of pasture. Some stockwatering for 2 - 3 horses will also occur under this permit.

By Gregory M. Bilyeu
s/Gregory M. Bilyeu
P. O. Box 70458
Reno, Nevada 89570-0458

Compared my/cms dl/cms

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 12156, Certificate 3397 is issued subject to the terms and conditions imposed in said Permit 12156, Certificate 3397 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The place of use of this permit is limited to the irrigation of 2.0 acres within the described place of use.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0111 cubic feet per second, but not to exceed 8.0 acre-feet per acre, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

February 17, 2001

Proof of completion of work shall be filed before:

March 17, 2001

Application of water to beneficial use shall be filed on or before:

February 17, 2004

Proof of the application of water to beneficial use shall be filed on or before:

March 17, 2004

Map in support of proof of beneficial use shall be filed on or before:

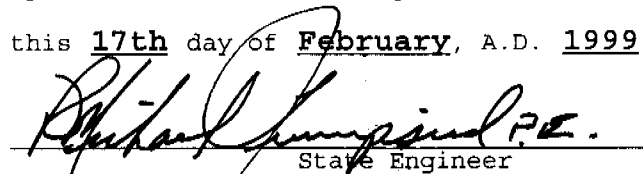
March 17, 2004

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 17th day of February, A.D. 1999


State Engineer

Completion of work filed MAR 13 2002

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

EXHIBIT "A"**Question 6 – Existing Point of Diversion**

NE ¼ NE ¼ Section 18, T.11N., R.24E., M.D.B. & M., or at points from which the E ¼ Corner of said Section 18, bears S. 1° 50' 40" E., 1,770.56 ft.; S. 14° 38' 30" E., 1,985.98 ft.; S. 26° 57' 40" E., 2,092.16 ft.; S. 36° 06' E., 2,239.68 ft.; and S. 22° 07' E., 1,738.30 ft.